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Attorney for Defendant iFIT, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

POWERBLOCK HOLDINGS, INC.,

Plaintiff,

v.

IFIT, INC.,

Defendant.

**STIPULATED MOTION TO EXTEND
DEADLINES SET FORTH IN THE
ORDER TO PROPOSE SCHEDULE**

JURY TRIAL DEMANDED

Case No. 1:22-cv-00132-JNP-CMR

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A) and DUCivR 7-1(a)(2)(A) and (G), Plaintiff PowerBlock Holdings, Inc. (Plaintiff), and Defendant iFIT, Inc. (Defendant and collectively with Plaintiff the Parties), through their respective counsel of record, hereby stipulate and move the Court for an order extending the deadlines set forth in the Court's October 12, 2022, Order to Propose Schedule (Dkt. No. 10).

Specifically, the Parties stipulate and move the Court to extend the deadlines set forth in the Court's Order to Propose Schedule as follows:

1. Plaintiff shall propose a schedule to Defendant in the form of a draft Attorney Planning Meeting Report within twenty-eight (28) days after the filing of Defendant's first answer to Plaintiff's complaint;

2. The Parties shall meet and confer to discuss the draft Attorney Planning Meeting Report within thirty-five (35) days after the filing of Defendant's first answer to Plaintiff's complaint; and
3. The Parties shall submit a jointly signed Attorney Planning Meeting Report within forty-two (42) days after the filing of Defendant's first answer to Plaintiff's complaint.

This is a patent case and, as such, this Court's Local Rules of Patent Practice apply. The above proposed dates are consistent with the deadlines identified in Local Patent Rule (LPR) 1.2.

Good cause exists for the requested extensions on the basis that the Plaintiff has filed a Motion to Dismiss (Dkt. No. 22). According to Fed. R. Civ. P. 12(a)(4)(A), Defendant's answer to Plaintiff's complaint is not due until fourteen (14) days after this Court's action on the Motion to Dismiss. In light of the uncertainty of the date on which Defendant will file its answer, it is difficult to identify, with any precision, the scheduling dates identified in the Attorney Planning Meeting Report. This is because the Local Patent Rules key many of the dates identified in the Attorney Planning Meeting Report off of the date of the Defendant's answer.

Thus, the Parties request the above delay in the submission of the Attorney Planning Meeting Report and associated deadlines until after the Defendant has filed its answer. A proposed order granting the extensions has been lodged with the Court concurrently herewith.

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Date: December 19, 2022

Respectfully submitted,

/Mark Ford/

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** Admitted pro hac vice*

** Signed with permission granted via email on 12/19/22*